

**LEMON GROVE CITY COUNCIL
AGENDA ITEM SUMMARY**

Item No. 4
Mtg. Date October 7, 2014
Dept. Fire Department

Item Title: City of Lemon Grove False Fire Alarm Ordinance

Staff Contact: Tim Smith, Deputy Fire Chief

Recommendation:

Waive further reading and adopt Ordinance No. 423 (**Attachment A**) adopting the City of Lemon Grove False Fire Alarm Ordinance.

Item Summary:

In order to reduce the number of false fire alarms, a false fire alarm fee was included in the City's Master Fee Schedule in 2005. The Fire Department has been using provisions in the California Fire Code and local code amendments to enforce this fee up until this time. During local code amendment discussions with the other Heartland Fire and Rescue cities in 2013, it was determined that some local amendment provisions should be included as ordinances to increase their effectiveness and to avoid the need to reintroduce them as amendments every three years.

In 2013, the City's Fire Department responded to 32 false fire alarms and recovered \$1,240 in fines. The proposed ordinance indicates that a fine can be issued if there are two false alarms in a 30 day period or three false alarms in a six month period. The current false alarm fine is \$155.

Fiscal Impact:

The ordinance provides for cost recovery of expenses related to fire department responses to false fire alarms in excess of those outlined in the ordinance.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section 15308 | <input type="checkbox"/> Mitigated Negative Declaration |

Public Information:

- | | | |
|--|--|---|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Newsletter article | <input type="checkbox"/> Notice to property owners within 300 ft. |
| <input type="checkbox"/> Notice published in local newspaper | <input type="checkbox"/> Neighborhood meeting | |

Attachments:

A. Ordinance No. 423

ORDINANCE NO. 423

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA ADDING CHAPTER 8.56 (FALSE FIRE ALARMS) TO THE LEMON GROVE MUNICIPAL CODE

WHEREAS, the use of Fire Department resources should be reserved for emergency fire, life safety and related responses; and

WHEREAS, the responses by the Fire Department to false fire alarms creates additional costs for the general public; and

WHEREAS, the responses by the Fire Department to false fire alarms prevents or delays responses to emergencies and creates a potential risk to public safety; and

WHEREAS, the City Council has determined that the costs of responses to false alarms triggered by automatic alarm systems creates a potential risk to public safety; and

WHEREAS, the adoption of administrative fines and penalties will help offset the cost of responses to false alarms; and

WHEREAS, the adoption of these fines and penalties is less than the cost reasonably borne by the Fire Department to respond to false fire alarms; and

NOW THEREFORE, the City Council of the City of Lemon Grove does ordain as follows;

1. Chapter 8.56 (False Fire Alarms) is added to the Lemon Grove Municipal Code as set out in the sections below.

SEC. 8.56.010 PURPOSE:

The purpose of this chapter (False Fire Alarms) is to reduce the number of false fire alarms by ensuring proper maintenance of said systems; educating the public; preventing the waste of fire resources caused by responses to false alarms; and enforcing the provisions of this chapter.

SEC. 8.56.020 APPLICABILITY:

This chapter is applicable to all fire alarm systems in the City of Lemon Grove. After adoption of this ordinance by the City Council, there shall be a three month delay in enforcement of the provisions of this ordinance. During this time, the enforcement officer shall issue warnings to educate the public of the need to properly maintain fire alarms to prevent a waste of public resources responding to false alarms.

SEC. 8.56.030 DEFINITIONS:

Fire Alarm – Any device or equipment that automatically transmits a signal to activate a municipal fire alarm system, which in turn, causes fire department notification and emergency response to any premises.

False Fire Alarm – The activation of a fire alarm signal that summons the fire department to respond in an emergency response mode due to nuisance, mechanical failure, malfunction, improper installation, lack of maintenance and / or testing.

Department Response – A fire department response has occurred when the fire unit is dispatched by Heartland Dispatch or any other official emergency dispatching service in response to the activation of a fire alarm signal that summons the fire department.

Attachment A

SEC. 8.56.040 ENFORCEMENT:

The fire marshal, or designee, shall be the responsible agent for ensuring that the provisions of this ordinance are enforced.

SEC. 8.56.050 PENALTIES:

After two (2) false alarm responses in 30 days or three (3) false alarm responses in six (6) months at any location, a false alarm fee will be charged at the rate approved in the City of Lemon Grove in the Master Fee Schedule. If no specific fee for fire alarms is established, the fire alarm fee charged shall be based on the fee charged for false alarms applicable to security alarms under Chapter 8.32 of the Lemon Grove Municipal Code.

INTRODUCED by the City Council on September 16, 2014. **PASSED AND ADOPTED** by the City Council of the City of Lemon Grove, State of California, on October 7, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Mary Teresa Sessom, Mayor

Attest: _____
Susan Garcia, City Clerk

Approved as to form:

James P. Lough, City Attorney
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